

Add New Claim:

B3 5 ~~11~~ The instrument of claim ~~4~~ wherein each of said light sources is driven by said driver means to the same level TH measured at the output of said light detector when said test vial is removed thereby compensating for intrinsic parametric differences among said light sources and among said light detectors, and differences resulting from the combined performance, due to mechanical mounting processes and optical differences of said combinations of said light sources and light detectors.

REMARKS

Claims 1-3 and 5 have been rejected as anticipated by Eberly, et al. and claims 1-3 and 5-7 have been rejected as unpatentable over Eden, et al. in view of Mudd and Eberly, et al. Reconsideration is respectfully requested in view of the above amendments and following considerations.

Claim 4 has been amended to independent form by including all of the limitations of claims 1 and 2. Claims 1-3 and 5-7 have been cancelled. New claim 11, dependent on claim 4, includes all of the limitations of claim 3.

In view of the above amendments, claims 4 and 8-11 are now believed allowable, the rejected claims having been cancelled.

Respectfully submitted,

GIDEON EDEN

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(JMD\Eden - Resp. to Action 4-24-00)